

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

**AN ORDINANCE REAUTHORIZING SECTION 5.104.040 SUBSECTION (b) OF
CHAPTER 5.104 OF TITLE 5 OF THE SAN MATEO COUNTY ORDINANCE CODE
GOVERNING CABLE TELEVISION FRANCHISES IN CONFORMANCE WITH THE
CALIFORNIA DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION
ACT OF 2006**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1

5.104.040 Public, Education and Government (PEG) Channel Capacity, PEG Support
Fees, PEG Interconnection, and County Franchisee's Obligations.

SUBSECTION (b) is reauthorized as follows:

(b) PEG Support Fees.

1. Amount of PEG support fee.

(A) Except as provided in subparagraphs (B) and (C), every state franchisee operating within the boundaries of the unincorporated areas of the County shall pay a PEG support fee to the County calculated on the same basis as the PEG support fee paid by the incumbent County Franchise for the corresponding service area.

(B) Upon the expiration of any County Franchise or its earlier termination pursuant to California Public Utilities Code Section 5840(o)(3), every state franchisee operating within the corresponding unincorporated

boundaries of the County shall pay a new PEG support fee to the County calculated on the same basis as the PEG support fee paid by the incumbent County Franchise for the corresponding service area or the equivalent of 1% of the state franchisee's revenue, whichever is higher. State franchisees shall remit PEG fees in the same manner as franchise fees, pursuant to Section 5.104.030.

- (C) As of December 31, 2006, pursuant to the most recent franchise agreement, the County also imposed on the local cable operator a one-time capital grant of three hundred seventy nine thousand nine hundred and eight dollars (\$379,908) for PEG equipment and facilities. Pursuant to section 5870(l) of the California Public Utilities Code, every state franchisee operating within the boundaries of the County shall be responsible for a pro-rata, per subscriber share of any outstanding capital grant payments.
- 2. The PEG support fee shall be used by the County for PEG purposes consistent with state and federal law.
- 3. This expressly reauthorized the enforceability of this Ordinance.

This Ordinance shall become effective thirty (30) days from the passage date thereof.

* * * * *